

JUL 31 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

LETICIA RENATA AVENDANO
RECORDER,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-74224

Agency No. A96-161-496

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 24, 2006**

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges.

Leticia Renata Avendano Recoder, a native and citizen of Mexico, petitions
for review of the Board of Immigration Appeals' dismissal of her appeal of an

* This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

immigration judge's ("IJ") denial of her application for cancellation of removal. To the extent we have jurisdiction, it is conferred by 8 U.S.C. § 1252. We dismiss in part and deny in part the petition for review.

To the extent petitioner challenges the agency's weighing of the hardship evidence, we lack jurisdiction to review that determination. *See Romero-Torres v. Ashcroft*, 327 F.3d 887, 890 (9th Cir. 2003). Although we have jurisdiction to review petitioner's challenge to the IJ's interpretation of the hardship standard, we conclude that the standard applied falls within the broad range authorized by statute. *See Ramirez-Perez v. Ashcroft*, 336 F.3d 1001, 1001-06 (9th Cir. 2003).

We are not persuaded that the petitioner's removal results in the deprivation of her children's rights. *See, e.g., Cabrera-Alvarez v. Gonzales*, 423 F.3d 1006, 1012-13 (9th Cir. 2005). Petitioner has failed to present any other colorable constitutional claims. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

PETITION FOR REVIEW DISMISSED in part and DENIED in part.